

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

NO. CR 18-0202JLR

ORDER CONTINUING TRIAL DATE

v.

MARIO PARRA-CETINA,
Defendant.

The Court, having reviewed the Stipulated Motion to Continue Trial and Pretrial Motions Deadline and the facts and circumstances described therein, which are hereby incorporated as findings of fact, makes the following findings of fact and conclusions of law:

1. The trial in *United States v. Mario Parra-Cetina* is set for October 29, 2018.
2. Defense counsel and the government have conferred and believe that a trial date on January 31, 2019, is appropriate. The parties further submit that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

1 3. This appears to be a case requiring significant pretrial investigation and
2 preparation. The government has produced nearly 400 pages of written materials and
3 audio recordings. The defense has not yet been able to conduct substantial investigation
4 of this case or explore potential legal or factual issues for purposes of pretrial motions.

5 4. Based on the above, the Court finds that the defense is entitled to additional
6 time for investigation and preparation. The additional time requested is a reasonable
7 period of delay, as the defendant has requested more time to prepare for trial, to
8 investigate the matter, to gather evidence material to the defense, and to consider possible
9 defenses and motions.

10 5. Accordingly, the Court finds that the ends of justice served by granting this
11 continuance outweigh the best interests of the public and the defendant in a speedy trial.
12 18 U.S.C. § 3161(h)(7)(A).

13 6. Proceeding to trial absent adequate time for the defense to prepare would
14 result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

15 7. Taking into account the exercise of due diligence, a failure to grant a
16 continuance in this case would deny counsel for the defendant the reasonable time
17 necessary for effective preparation due to counsel's need for more time to review the
18 evidence, consider possible defenses, research pretrial motions, and gather evidence
19 material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv).

20 8. The defendant has filed a Speedy Trial Waiver that extends through
21 February 28, 2019.

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1 9. Accordingly, the Court ORDERS that the trial shall be continued to January
2 31, 2019. The resulting period of delay from the date of this order, up to and including
3 the new trial date of January 31, 2019, is hereby excluded for speedy trial purposes under
4 18 U.S.C. § 3161(h)(7)(A) and (B). Pre-trial motions are due no later than December 5,
5 2018.

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7 DATED this 16th day of September, 2018.

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10 
11 HON. JAMES L. ROBART
12 United States District Judge

13 Presented by:

14 s/Amy Jaquette

15 AMY JAQUETTE

16 Assistant United States Attorney

17 s/Jessica Manca

18 JESSICA MANCA

19 Special Assistant United States Attorney

20 s/Gabriel Banfi

21 GABRIEL BANFI

22 Attorney for Defendant Mario Parra-Cetina
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